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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,446	06/29/2001	Ippo Aoki	210672US2S	6359

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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PEREZ GUTIERREZ, RAFAEL

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/893,446

**Applicant(s)**

Aoki et al.

**Examiner**

Rafael Perez-Gutierrez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☒ Claim(s) 4-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on November 8, 2004. **Claims 1-13** are still pending in the present application. **This Action is made FINAL.**

#### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference number "46" has been used to designate both the **display** and the **input**. The display should be referred to by reference number **42** in accordance with **page 12 line 21** of the specification.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character not mentioned in the description: On **figure 10**, reference character **ST-G3** is not mentioned in the description.

4. ~~Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to~~ the Office Action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended". If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

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drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the Examiner, the Applicant will be notified and informed of any required corrective action in the next Office Action. If a response to the present Office Action fails to include proper drawing corrections, corrected drawings or arguments therefor, the response can be held **NON-RESPONSIVE** and/or the application could be **ABANDONED** since the objections/corrections to the drawings are no longer held in abeyance.

#### *Claim Objections*

5. **Claim 10** is objected to because of the following informality: On **line 14**, replace "burn-off" with --turn-off-- after "with". Appropriate correction is required.

#### *Claim Rejections - 35 USC § 112*

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the Applicant regards as his invention.

**Claims 4 and 9** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant

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regards as the invention.

Consider **claim 4**, the recitation of “said seizing means” in **line 3** renders the claim indefinite since it is not clearly understood to which seizing means is being referred to (i.e., to the first seizing means or the second seizing means in **claim 1**).

Consider **claim 9**, the recitation of “said seizing means” in **line 2** renders the claim indefinite since it is not clearly understood to which seizing means is being referred to (i.e., to the first seizing means or the second seizing means in **claim 5**). Appropriate clarification is required.

For purposes of applying prior art, “said seizing means” is being interpreted as “said first seizing means”.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless -- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 5, 8-10, and 13** are rejected under 35 U.S.C. 102(e) as being anticipated by **Blakeney, II et al. (U.S. Patent # 6,466,802 B1)**.

Consider **claim 5**, Blakeney, II et al. disclose a mobile radio communication apparatus

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for use in a mobile radio communication system which includes base stations (A subscriber station or mobile radio communication apparatus that attempts communication in mobile radio communication system, such system including base stations or communication systems that cover a geographic region for providing wireless communication services; *col. 1, lines 14-17 and 49-58*), mobile radio communication apparatuses to be connected to the base stations over radio channels (Radio channels such as signals indicative of roaming conditions; *col. 1; lines 66-67*), and in which each of the base stations broadcasts a system ID numbers for identifying the base station (Each system or base station broadcasting a system identification (SID) to the subscriber; *col. 1, line 67 thru col. 2, line 4*), said apparatus comprising: first memory means for storing system ID numbers and priority data items (Wherein the subscriber station comprises a list of preferred systems or universal system table; *col. 2, lines 34-41; col. 4, lines 21-27*), each item associated with each of the system ID numbers and representing priority assigned to each base station, so as to be used to seize one base station (Wherein each item of the universal system table represents the system identification number and wherein such items are group according to a priority of ranking criteria; *col. 4, lines 30-40*); first seizing means for receiving the broadcast system ID number in accordance with the priority data item stored in said first memory means, for seizing the base station having the system ID number received, and for setting the apparatus in an idle state (Seizing means such as a system determination processor to select and subsequently acquired a system or base station in accordance with the system identification number, furthermore wherein said processor determines whether the acquired SID is a preferred system; *col. 3, lines 54-63; col. 4, lines 46-50; col. 6, lines 61-63; Figs. 2A-2C*); second memory

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means for storing the system ID number of the seized base station when a user operates the apparatus and inputs a turn-off instruction for turning off the apparatus, while the apparatus remaining in the idle state (Second memory means such as Most Recently Used (MRU) table for storing the SID of systems that have been most recently used by the subscriber station, wherein the MRU is implemented in a non-volatile memory thereof retaining the SID of the most recently seized or used system even after the subscriber station is turned-off or powered down; *col. 2, lines 60-62; col. 4, lines 19-22*); second seizing means for seizing the base station having the system ID number stored in said second memory means and setting the apparatus in an idle state when the apparatus is turned on (Wherein after powering up the subscriber station, the subscriber station attempts to acquire first the systems stored in the second memory means from the MRU table; *col. 2, lines 55-62; col. 4, lines 50-56; col. 5, lines 24-29*); and control means for determining whether the apparatus receives a system ID number of higher priority than the system ID number of the base station seized by said second seizing means, by referring to the contents of said first memory means (Wherein the subscriber station system determination processor tries to find the SID number of the currently seized system in the MRU table, further comparing the SID number those preferred systems stored on first memory means or universal system table, determining if said seized system is one of higher or most desirable priority in the currently region wherein the subscriber station is located; *col. 5, lines 24-29; col. 6, line 61 thru col. 7, line 21*), and for seizing the base station having the system ID number of higher priority and setting the apparatus in the idle state when the apparatus receives the system ID number of higher priority (Wherein if it is determined that the system or base station is a most desirable

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system, then service is provided to the subscriber station by means of said system; *col. 7, lines 16-21*).

Consider **claim 8**, and **as applied to claim 5 above**, Blakeney, II et al. disclose the aforementioned apparatus, which further comprises decision means for determining whether the system ID number of the base station seized by said second seizing means is stored in said first memory means (Wherein the system determination processor attempts connectivity through a most desirable system seeking through the listing of preferred systems stored in the first memory means (Universal System Table); *col. 6, lines 61-63*), if the system ID number is not stored in said first memory means, said control means sets the apparatus into an idle state after detecting a control signal broadcast from a base station (Wherein the subscriber station awaits user intervention if no systems can be acquired after seeking through the listing of the first memory means; *col. 7, lines 35-52*) and identifying, based on the control signal, a geographical area in which the base station is provided (Wherein the geographic region in which a system serves is indicated according to desirability of acquiring service through that system; *col. 3, lines 25-34; col. 8 lines 1-41*).

Consider **claim 9**, and **as applied to claim 5 above**, Blakeney, II et al. discloses the aforementioned apparatus, wherein said control means operates such that a geographical area into which the apparatus has moved is identified (Wherein the geographic region in which a system serves is indicated according to desirability of acquiring service through that system; *col. 8 lines 1-41*), said seizing means receives one of the broadcast system ID numbers in accordance with the identified geographical area (Wherein the SID of the system is relative to geographic



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area identified; *col. 8, lines 13-19*), and seizes a base station having the one of the system ID number received by said first seizing means and sets the apparatus in the idle state (Wherein if it is determined that the system or base station is a most desirable system, then service is provided to the subscriber station by means of said system; *col. 7, lines 16-21*).

Consider **claim 10**, Blakeney, II et al. disclose a mobile radio communication apparatus for use in a mobile radio communication system which includes base stations (A subscriber station or mobile radio communication apparatus that attempts communication in mobile radio communication system, such system including base stations or communication systems that cover a geographic region for providing wireless communication services; *col. 1, lines 14-17 and 49-58*), mobile radio communication apparatuses to be connected to the base stations over radio channels (Radio channels such as signals indicative of roaming conditions; *col. 1; lines 66-67*), and in which each of the base stations broadcasts a system ID number for identifying the base station (Each system or base station broadcasting a system identification (SID) to the subscriber; *col. 1, line 67 thru col. 2, line 4*), said apparatus comprising: first memory means for storing system ID numbers, priority data items (Wherein the subscriber station comprises a list of preferred systems or universal system table; *col. 2, lines 34-41; col. 4, lines 21-27*), each item associated with each of the system ID numbers and representing priority assigned to each base station, so as to be used to seize one base station (Wherein each item of the universal system table represents the system identification number and wherein such items are group according to a priority of ranking criteria; *col. 4, lines 30-40*); seizing means for receiving the broadcast system ID number in accordance with the priority data item stored in said first memory means,

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for seizing the base station having the system ID number received, and for setting the apparatus in an idle state (Seizing means such as a system determination processor to select and subsequently acquired a system or base station in accordance with the system identification number, furthermore wherein said processor determines whether the acquired SID is a preferred system; *col. 3, lines 54-63; col. 4, lines 46-50; col. 6, lines 61-63; Figs. 2A-2C*); second memory means for storing the system ID number of the seized base station if the system ID number of the seized base station is included in said first memory means in accordance with turn-off operation during the idle state (Second memory means such as Most Recently Used (MRU) table for storing the SID of systems that have been most recently used by the subscriber station, wherein the MRU is implemented in a non-volatile memory thereof retaining the SID of the most recently seized or used system even after the subscriber station is turned-off or powered down; *col. 2, lines 60-62; col. 4, lines 19-22*); and control means for turning off the apparatus in response to the turn-off instruction (Wherein means for turning off or powering down the apparatus are fundamentally disclosed; *col. 4, lines 19-22*) and for seizing the base station having the system ID number stored in said second memory means and setting the apparatus in the idle state when the user operates the apparatus and inputs a turn-on instruction for turning on the apparatus (Wherein after powering up the subscriber station, the subscriber station attempts to acquire first the systems stored in the second memory means from the MRU table; *col. 2, lines 55-62; col. 4, lines 50-56; col. 5, lines 24-29*).

Consider **claim 13**, and as **applied to claim 10 above**, Blakeney, II et al. disclose the aforementioned apparatus, wherein said control means operates such that a geographical area

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into which the apparatus has moved is identified (Wherein the geographic region in which a system serves is indicated according to desirability of acquiring service through that system; *col. 8 lines 1-41*), said seizing means receives one of the broadcast system ID numbers in accordance with the geographical area identified (Wherein the SID of the system is relative to geographic area identified; *col. 8, lines 13-19*), and seizes a base station having the one of the system ID number received by said seizing means and sets the apparatus in the idle state (Wherein if it is determined that the system or base station is a most desirable system, then service is provided to the subscriber station by means of said system; *col. 7, lines 16-21*).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Examiner to consider the applicability of 35 U.S.C. 103(c)

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and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. **Claims 6, 7, 11, and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Blakeney, II et al. (U.S. Patent # 6,466,802 B1)** in view of **Bamburak et al. (U.S. Patent # 6,311,064 B1)**.

Consider **claim 6**, and as applied to **claim 5** above, Blakeney, II et al. disclose the aforementioned apparatus, wherein the system ID number is stored in said second memory means. Blakeney, II et al. fail to clearly specify said system ID number written into said first memory means if the system ID number is not stored in said first memory means.

In the same field of endeavor, Bamburak et al. disclose a communication device that receives a SID or system ID number that may not be in a preferred system table such as a first memory means, wherein communication device executes search algorithms to locate a desirable system/service provider, subsequently when a desirable system/service provider is located, said first memory means update its list regarding the previously unlisted geographic identifier at which the desirable system/service provider is located (*col. 3, lines 54-62; col. 10, lines 24-29*,

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*and lines 63-64; col. 10, line 66 thru col. 11, lines 8; col. 11, lines 39-42; col. 11, lines 63 thru col. 12, line 2; col. 12, lines 11-14).*

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Blakeney, II et al. method and apparatus for selecting a most preferred system to include updating features for a preferred or high priority system list, for the purpose of providing awareness to the communication device about all the possible systems surrounding a geographical area when establishing suitable communications according to the requirements of the communication device.

Consider **claim 7**, and **as applied to claim 5 above**, Blakeney, II et al. disclose the aforementioned apparatus comprising receiving means for receiving the broadcast system ID number (*col. 9, lines 1-9*), and said control means writes the received system ID number into a most recently used memory means. Blakeney, II et al. fail to clearly specify writing the received system ID number into said first memory means when the received broadcast system ID number is different from any one of the system ID numbers stored in said first memory means.

In the same field of endeavor, Bamburak et al. disclose a communication device that receives a broadcasted system ID number that may not be in a different system ID number from those stored in a preferred system table such as a first memory means, wherein communication device tries to match the broadcasted system ID number, executing search algorithms to locate a desirable system/service provider, subsequently when an acceptable system/service provider is located, said first memory means update its list regarding the previously unlisted geographic identifier at which the desirable system/service provider is located (*col. 3, lines 54-62; col. 10,*

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*lines 24-29, and lines 63-64; col. 10, line 66 thru col. 11, lines 8; col. 11, lines 39-42; col. 11, lines 63 thru col. 12, line 2; col. 12, lines 11-14).*

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Blakeney, II et al. method and apparatus for selecting a most preferred system to include updating features for a preferred or high priority system list, for the purpose of providing awareness to the communication device about all the possible systems surrounding a geographical area when establishing suitable communications according to the requirements of the communication device.

Consider **claim 11**, and **as applied to claim 10 above**, Blakeney, II et al. disclose the aforementioned apparatus, wherein the system ID number stored in said second memory means. Blakeney, II et al. fail to clearly specify said system ID number written into said first memory means if the system ID number is not stored in said first memory means.

In the same field of endeavor, Bamburak et al. disclose a communication device that receives a SID or system ID number that may not be in a preferred system table such as a first memory means, wherein communication device executes search algorithms to locate a desirable system/service provider, subsequently when a desirable system/service provider is located, said first memory means update its list regarding the previously unlisted geographic identifier at which the desirable system/service provider is located (*col. 3, lines 54-62; col. 10, lines 24-29, and lines 63-64; col. 10, line 66 thru col. 11, lines 8; col. 11, lines 39-42; col. 11, lines 63 thru col. 12, line 2; col. 12, lines 11-14).*

Therefore it would have been obvious to one with ordinary skill in the art at the time the

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invention was made to have Blakeney, II et al. method and apparatus for selecting a most preferred system to include updating features for a preferred or high priority system list, for the purpose of providing awareness to the communication device about all the possible systems surrounding a geographical area when establishing suitable communications according to the requirements of the communication device.

Consider **claim 12**, and **as applied to claim 10 above**, Blakeney, II et al. disclose the aforementioned apparatus comprising receiving means for receiving the broadcast system ID number (*col. 9, lines 1-9*), and said control means writes the received system ID number into a most recently used memory means. Blakeney, II et al. fail to clearly specify writing the received system ID number into said first memory means when the received broadcast system ID number is different from any one of the system ID numbers stored in said first memory means.

In the same field of endeavor, Bamburak et al. disclose a communication device that receives a broadcasted system ID number that may not be in a different system ID number from those stored in a preferred system table such as a first memory means, wherein communication device tries to match the broadcasted system ID number, executing search algorithms to locate a desirable system/service provider, subsequently when an acceptable system/service provider is located, said first memory means update its list regarding the previously unlisted geographic identifier at which the desirable system/service provider is located (*col. 3, lines 54-62; col. 10, lines 24-29, and lines 63-64; col. 10, line 66 thru col. 11, lines 8; col. 11, lines 39-42; col. 11, lines 63 thru col. 12, line 2; col. 12, lines 11-14*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the

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invention was made to have Blakeney, II et al. method and apparatus for selecting a most preferred system to include updating features for a preferred or high priority system list, for the purpose of providing awareness to the communication device about all the possible systems surrounding a geographical area when establishing suitable communications according to the requirements of the communication device.

*Allowable Subject Matter*

10. **Claims 1-3** are allowed.
11. **Claim 4** would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action.
12. The following is an Examiner's statement of reasons for allowance:  
  
**Claims 1-3** are allowed in view of Applicant's amendment and accompanying remarks filed on November 8, 2004.  
  
Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".



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***Response to Arguments***

13. Applicant's arguments filed November 8, 2004 have been fully considered but they are not persuasive.

In the present application, Applicant basically argues, on pages 9 and 10 of the remarks, that Blakeney, II et al. do not disclose steps ST-A3, ST-A6, and ST-A10.

In response to Applicant's argument that the Blakeney, II et al. fail to show certain features of Applicant's invention, it is noted that the features upon which Applicant relies (i.e., steps ST-A3, ST-A6, and ST-A10) are not recited in the rejected claims 5 and 10. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As for the actual limitations recited in **claims 5 and 10**, Blakeney, II et al. clearly show and disclose, as explained in detail above, said limitations (see, for example, column 5 line 24 - column 6 line 46).

Therefore, in view of the above reasons and having addressed Applicant's argument, the previous rejection is maintained and made FINAL by the Examiner.

***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

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MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any response to this Office Action should be **faxed to (703) 872-9306 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

16. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rafael Perez-Gutierrez whose telephone number is (571) 272-7915. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

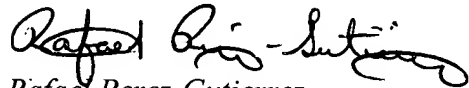
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number

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for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.



*Rafael Perez-Gutierrez*

R.P.G./rpg **RAFAEL PEREZ-GUTIERREZ**  
**PATENT EXAMINER**

May 16, 2005